

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JACK SMITH, et al.,	)	
	)	
Plaintiffs,	)	Case No. 1:07-cv-356
	)	
v.	)	Honorable Robert Holmes Bell
	)	
MICHIGAN DEPARTMENT OF	)	
CORRECTIONS, et al.,	)	<b><u>JUDGMENT</u></b>
	)	
Defendants.	)	
	)	

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In accordance with the memorandum opinion issued this date:

IT IS ORDERED that plaintiff Smith's objections to the report and recommendation of the magistrate judge (docket # 6) be and hereby are OVERRULED and the report and recommendation of the magistrate judge (docket # 5) is ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED that this action is DISMISSED pursuant to 28 U.S.C. § 1915A(b) and 42 U.S.C. § 1997(e)(c) on grounds of absolute immunity and for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that plaintiffs' motion for a preliminary injunction and motion to certify plaintiffs as a class (docket #'s 3, 4) be and hereby are DISMISSED as moot.

IT IS FURTHER ORDERED that the court finds no good-faith basis for an appeal of this matter within the meaning of 28 U.S.C. § 1915(a)(3).

IT IS FURTHER ORDERED that dismissal of this action counts as a strike for purposes of 28 U.S.C. § 1915(g).

Date: May 31, 2007

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
CHIEF UNITED STATES DISTRICT JUDGE